

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21-CR-00282-FDW-SCR**

UNITED STATES OF AMERICA)	
)	
v.)	<u>WRIT OF EXECUTION</u>
)	
MICHAEL A. KENNEDY)	
<hr style="width:40%; margin-left:0"/>)	

TO THE UNITED STATES MARSHAL AND TD AMERITRADE:

A judgment was entered on September 27, 2022 (Doc. No. 20) in the United States District Court for the Western District of North Carolina, in favor of the United States of America and against the Defendant, Michael A. Kennedy, whose last known address is United States Penitentiary at Leavenworth, 1300 Metropolitan Avenue, Leavenworth, KS 66048, in the sum of \$33,733,736.00. The balance on the account as of October 5, 2023, is \$32,919,349.14.

YOU ARE HEREBY COMMANDED pursuant to 18 U.S.C. § 3613 and 28 U.S.C. § 3203 to satisfy the judgment by levying and/or executing on property, and TD Ameritrade is commanded to turn over property, in a timely manner and no later than ninety (90) days after the date of the issuance of this Writ of Execution, in which Defendant, Michael A. Kennedy, Social Security Number XXX-XX-4790, has a substantial nonexempt interest, the property being any and all funds located in TD Ameritrade accounts ending in account numbers 8372, 9085, and 6047, held in the name of Michael A. Kennedy, individually, at the following address:

TD AMERITRADE
ATTN: LEGAL DEPARTMENT
200 SOUTH 108TH AVE
OMAHA, NE 68154

YOU ARE FURTHER COMMANDED to turn over the net proceeds of the levied property to the United States Clerk of Court. The payment must be mailed to:

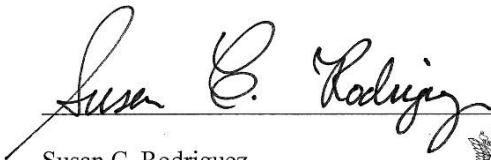
UNITED STATES DISTRICT CLERK OF COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NC 28202

To ensure that the payment is credited properly, the following information should be included on the check: Court Number DNCW3:21CR000282-001 and Defendant's Name Michael A. Kennedy.

YOU ARE FURTHER COMMANDED that the levy shall not exceed property reasonably equivalent in value to the balance on the account of \$32,919,349.14.

SO ORDERED.

Signed: October 5, 2023


Susan C. Rodriguez
United States Magistrate Judge



CLAIM FOR EXEMPTION FORM
MAJOR EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613)

- ____ 1. Wearing apparel and school books.--Such items of wearing apparel and such school books as are necessary for the debtor or for members of his family.
- ____ 2. Fuel, provisions, furniture, and personal effects.--So much of the fuel, provisions, furniture, and personal effects in the Debtor's household, and of the arms for personal use, livestock, and poultry of the debtor, as does not exceed **\$10,810** in value.
- ____ 3. Books and tools of a trade, business, or profession.--So many of the books, and tools necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate **\$5,400** in value.
- ____ 4. Unemployment benefits.--Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State, or of the District of Columbia or of the Commonwealth of Puerto Rico.
- ____ 5. Undelivered mail.--Mail, addressed to any person, which has not been delivered to the addressee.
- ____ 6. Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code.
- ____ 7. Workmen's Compensation.--Any amount payable with respect to compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.
- ____ 8. Judgments for support of minor children.--If the debtor is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.
- ____ 9. Certain service-connected disability payments.--Any amount payable to an individual as a service-connected (within the meaning of section 101(16) of Title 38, United States Code) disability benefit under--(A) subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38.
- ____ 10. Assistance under Job Training Partnership Act.--Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.

The statements made in this claim of settlement to exemptions and request for hearing as to exemption entitlement and fair market value of the property or funds designated are made and declared under penalty of perjury that they are true and correct.

☐ I hereby request a court hearing to decide the validity of my claims. Notice of the hearing should be given to me by mail at:

Address

or Telephonically at (_____)_____
Phone Number

Defendant's Printed or Typed Name

Defendant's Signature

Date